

Abstract

Thesis title: **Marriage**

In my thesis I deal with permanent and unchangeable characters of marriage, including terminology, and also transformations of the marriage in relation with changing of the legislation and transformation of the society. The main object of my thesis is to give a structured and summary image of the problematic marriage with context of present legislation but also historical events for a reader.

At first three chapters I dedicated to the theoretical aspects of the marriage which are important for the understanding of primary terminology and historical contexts. From the fourth chapter „rights and obligations of spouses“ I tried to route my thesis more to the practice of matrimonial law. One of the most important and the most difficult part of marriage are property relations between spouses, especially at divorce is sometimes very difficult to deal with the property between spouses.

I deal with property between spouses in chapter 5th. Property settlement between spouses closely related to termination of the marriage, especially to divorce.

I deal with termination of the marriage in the chapter 6th. I again tried to refer especially about practice of termination of the marriage, not only practical aspects of the relations between divorcing spouses, but also about relations to common child, it should be affected by parent's divorce at least. For this reason I deal with child's will and expression of child's will in the chapter „termination of the marriage“. In this chapter I also deal with termination of the marriage by the change of the sex, including jurisprudence of European Court of Human Rights.

In the last chapter I deal with registered partnership and other forms of cohabitation, between couples of the same sex and between couples of the different sex. Issue of the registered partnership (in some countries called like marriage) still split world society into many parties. There are states in the world, where may be conclude marriage between the same sex individuals, but there are states, where is already cohabitation between the same sex individuals a crime. In the last chapter I compare opinions among European states. I also deal with really questionable topic (also in the Czech Republic), which is children adoption by the registered partners.

In the end I deal with other forms of cohabitation except marriage or registered partnership.